

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FABIAN AGUILAR MARTINEZ,

Defendant.

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CASE NO. 8:03CR563

JUDGMENT

In accordance with the accompanying Memorandum and Order,

IT IS ORDERED:

1. The Court has completed the initial review of the Defendant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (Filing No. 127);
2. Upon initial review, the Court summarily denies the Defendant's § 2255 motion as untimely, and therefore the motion (Filing No. 127) is summarily denied; and
3. The Clerk is directed to mail a copy of this Judgment to the Defendant at his last known address.

DATED this 29th day of January, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge